

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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YOEL WEISSHAUS,

Plaintiff,

-against-

PORT AUTHORITY OF NEW YORK
AND NEW JERSEY,

Defendant.
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ORDER
11 CV 6616 (RKE)

In consideration of all papers and proceedings had herein, the court gives notice that it is considering converting the portions of defendant's Motion to Dismiss involving the penalty for payments in cash and whether toll increases are being spent on the ITN into a motion for summary judgment. *See* ECF No. 37. The court hereby gives notice that conversion into a motion for summary judgment will result in those portions of defendant's motion being governed by Rule 56 of the Federal Rules of Civil Procedure. Accordingly, the defendant shall either provide the court with a previously served notice under Local Civil Rule 12.1 or shall provide such notice to plaintiff and place it on the docket. Should any party care to inform the court of its view with respect to this change, the party should do so by October 1, 2018.

Dated: August 31, 2018
New York, New York

/s/ Richard K. Eaton
Judge

Judge Richard K. Eaton of the United States Court of International Trade, sitting by designation.